

EXHIBIT 2

From: Böll, Brooke S
To: Travis Richins; Yang, Irene; Sidley - WSOU Litigation; Barry Shelton
Cc: IPTeam; Mark Siegmund (mark@waltfairpllc.com)
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings
Date: Thursday, August 26, 2021 9:51:22 PM
Attachments: image002.png
image001.png
CDCAL Draft Joint Stip re Wade Motion to Compel.DOCX
CDCAL Boll Decl ISO Wade Motion to Compel.DOCX
Exhibits to Boll Decl.zip

Travis,

Attached please find Microsoft's portion of the joint stipulation as well as the accompanying declaration and exhibits. Highlighted yellow in the stipulation are the sections for Wade & Co. to complete.

As discussed earlier today, please send us your half of the joint stipulation as soon as possible. We would appreciate your cooperation in getting this on file expeditiously, in view of Wade & Co.'s failure to move to quash, lengthy delays in responding to Microsoft's repeated emails, and failure to meet and confer within the 10 day period.

Best,
Brooke
BROOKE S. BÖLL
Associate
SIDLEY AUSTIN LLP
+1 213 896 6633
brooke.boll@sidley.com

From: Travis Richins <travis@etheridgelaw.com>
Sent: Wednesday, August 25, 2021 1:13 PM
To: Böll, Brooke S <brooke.boll@sidley.com>; Yang, Irene <irene.yang@sidley.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry Shelton <bshelton@sheltoncoburn.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; Mark Siegmund (mark@waltfairpllc.com) <mark@waltfairpllc.com>
Subject: Re: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Thanks, Brooke. Confirmed that the correct time is 4pm CT.

Travis Richins | Etheridge Law Group
2600 East Southlake Blvd | Suite 120-324 |Southlake, TX 76092
travis@etheridgelaw.com | T 214 601 0678 | F 817 887 5950

From: Böll, Brooke S <brooke.boll@sidley.com>
Sent: Wednesday, August 25, 2021 3:11 PM
To: Travis Richins <travis@etheridgelaw.com>; Yang, Irene <irene.yang@sidley.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry Shelton <bshelton@sheltoncoburn.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; Mark Siegmund (mark@waltfairpllc.com) <mark@waltfairpllc.com>
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Travis,

We can discuss this issue on tomorrow's meet and confer. I understand from the other email thread that the meet and confer tomorrow will be at 4pm CT(not 5pm as indicated in your email earlier this morning) using the dial-in below:

First, click: <https://meet.loopup.com/97ASVIE>

Know who's on and who's speaking
LoopUp calls your phone - no need to dial in
And view when the leader shares their screen

Or, if you are offline, dial in:
(by joining, you agree to the privacy policy at loopup.com)
Guest Dial-in Code: 2369370#
USA: +1 (877) 746-4263
USA (Toll): +1 (312) 212-3078
Additional dial-in numbers:
UK (Local): +44 20 7019 0492
USA: +1 (877) 746-4263
USA (Toll): +1 (312) 212-3078

Thanks,
Brooke
BROOKE S. BÖLL
Associate
SIDLEY AUSTIN LLP
+1 213 896 6633
brooke.boll@sidley.com

From: Travis Richins <travis@etheridgelaw.com>
Sent: Wednesday, August 25, 2021 9:17 AM
To: Böll, Brooke S <brooke.boll@sidley.com>; Yang, Irene <irene.yang@sidley.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry Shelton <bshelton@sheltoncoburn.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; Mark Siegmund (mark@waltfairpllc.com) <mark@waltfairpllc.com>

Subject: Re: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Brooke,

We are not available today but are already coordinating a meet and confer for tomorrow from 5PM CT, where we can discuss this.

Travis Richins | Etheridge Law Group
2600 East Southlake Blvd | Suite 120-324 | Southlake, TX 76092
travis@etheridgelaw.com | T 214 601 0678 | F 817 887 5950

From: Böll, Brooke S <brooke.boll@sidley.com>
Sent: Tuesday, August 24, 2021 8:18 PM
To: Travis Richins <travis@etheridgelaw.com>; Yang, Irene <irene.yang@sidley.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry Shelton <bshelton@sheltoncouburn.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; Mark Siegmund (mark@waltfairpllc.com) <mark@waltfairpllc.com>
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Travis,

We disagree with your characterizations below, and maintain that it is past the deadline to meet and confer under L.R. 37-1. However, in the spirit of cooperation, we are available to meet and confer tomorrow at 2pm or 4pm CT. Please let us know which time is better for you.

On the meet and confer, please be prepared to discuss an expedited schedule for preparing the joint submission in view of Wade & Co.'s failure to move to quash, lengthy delays in responding to Microsoft's repeated emails, and failure to meet and confer within the 10 day period.

Best,
Brooke
BROOKE S. BÖLL
Associate
SIDLEY AUSTIN LLP
+1 213 896 6633
brooke.boll@sidley.com

From: Travis Richins <travis@etheridgelaw.com>
Sent: Tuesday, August 24, 2021 6:42 AM
To: Böll, Brooke S <brooke.boll@sidley.com>; Yang, Irene <irene.yang@sidley.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry Shelton <bshelton@sheltoncouburn.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; Mark Siegmund (mark@waltfairpllc.com) <mark@waltfairpllc.com>
Subject: Re: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Brooke,

We disagree concerning who is failing to confer in good faith. You have no good cause to claim Wade and Orange are not engaging you or that they refused to confer under L.R. 37-1. If you go to the Court unilaterally, we will point out our repeated offers to confer. As you know, the Court will not consider any discovery motion in the absence of a joint stipulation or a declaration that opposing counsel (a) failed to confer in a timely manner under L.R. 37-1; (b) failed to provide the opposing party's portion of the joint stipulation in a timely manner; or (c) refused to sign and return the joint stipulation.

Any declaration by you that we refused to timely confer would be false. Rather, we pointed out that your statement did not comply with the local rules and that you were miscalculating the deadline to confer. We said we would confer in a timely manner after you sent a statement that complied with the local rules. While we disagree that either Irene's email or your email below satisfies the requirements of 37-1, we remain willing to confer. Please let us know your availability.

You are harassing Wade and Orange for information they do not have, and now you are threatening to do so in a manner that violates the local rules of the CDCA. We reserve our right to seek costs for this conduct.

Sincerely,

Travis Richins | Etheridge Law Group
2600 East Southlake Blvd | Suite 120-324 | Southlake, TX 76092
travis@etheridgelaw.com | T 214 601 0678 | F 817 887 5950

From: Böll, Brooke S <brooke.boll@sidley.com>
Sent: Friday, August 20, 2021 3:18 PM
To: Travis Richins <travis@etheridgelaw.com>; Yang, Irene <irene.yang@sidley.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry Shelton <bshelton@sheltoncouburn.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; Mark Siegmund (mark@waltfairpllc.com) <mark@waltfairpllc.com>
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Counsel,

We are disappointed that you have failed to engage with us in good faith on this issue in two months. Instead, Wade & Co. and Orange Holdings' continued delay on this issue appears to be an attempt to run out the clock on the period for fact discovery. Wade & Co. and Orange Holdings first advised that they were not going to provide witnesses on June 9, nearly two months after the subpoenas were served. Three weeks later, Wade & Co. and Orange Holdings

then raised that they were planning to move to quash the subpoenas in a meet and confer on June 29. Despite Microsoft's repeated follow up emails, Wade & Co. and Orange Holdings still have not filed motions to quash, even though over 6 weeks have passed since Microsoft confirmed it would not withdraw the subpoenas. This delay and failure to engage has left Microsoft with no option other than to seek relief from the appropriate courts as quickly as possible.

Wade & Co. and Orange Holdings never served objections to Microsoft's deposition subpoenas and never moved to quash the subpoenas. Wade & Co. and Orange Holdings have therefore waived all objections to the subpoenas. This, particularly in view of Microsoft's many unanswered emails, alleviates the requirement in the local rules to bring the motion in the form of a joint letter. *See, e.g., Rich v. Kirkland*, No. CV 11-4272-JLS (SPx), 2015 WL 7185390, at *3 (C.D. Cal. Nov. 13, 2015) (where timely responses to the subpoena were not provided and the third parties failed to engage despite repeated attempts before and after the deadlines for responding, "plaintiff was not required to bring the motion in the form of a joint stipulation.").

Regardless, Microsoft has fully complied with the provisions of the local rule identified in your email. The dispute in issue and relief sought is clearly articulated in Irene's email below, namely: "Microsoft intends to seek orders compelling witnesses on behalf of Wade & Co and Orange Holdings to appear for oral deposition, on the topics identified in Microsoft's subpoenas, at the first available opportunity." The basis for the motion has also been explained to you repeatedly over the past months, but to reiterate it again here, based on publicly available patent office records, Wade & Co. and Orange Holdings have information relevant to at least the issues of damages and standing. As investment companies, they would undoubtedly negotiate and perform diligence when considering purchasing a portfolio of thousands of patents. Indeed, Wade & Co. appears to have ultimately purchased the patents, having fully executed the Patent Purchase Agreement with the Nokia entities in July 2017. Accordingly, your unsupported contention that Wade & Co. and Orange Holdings have no responsive documents is not dispositive of the issue.

Given that Microsoft has fully complied with the local rule, your failure to meet and confer activates the provisions of C.D. Cal. L.R. 37-2.4. Notwithstanding your failure to meet and confer, Microsoft is willing to still submit the motion in the form of a joint stipulation if Wade & Co. will agree to provide its half of the joint stipulation three business days after Microsoft provides its half. This compromise is reasonable given the excessive delays caused by Wade & Co. as discussed above, and given that Wade & Co. has ignored Microsoft's many emails until the very last second. If Wade & Co. does not agree, Microsoft will file its motion on the third business day without Wade & Co.'s portion.

Best,
Brooke

BROOKE S. BÖLL
Associate
SIDLEY AUSTIN LLP
+1 213 896 6633
brooke.boll@sidley.com

From: Travis Richins <travis@etheridgelaw.com>
Sent: Friday, August 20, 2021 5:46 AM
To: Böll, Brooke S <brooke.boll@sidley.com>; Yang, Irene <irene.yang@sidley.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>;
Barry Shelton <bshelton@sheltoncuburn.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; Mark Siegmund (mark@waltfairpllc.com) <mark@waltfairpllc.com>
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Brooke,

Given that Wade & Co and Orange have no responsive documents and no relevant knowledge, we again urge you to abandon this harassing attempt to depose them. We are aware that your client routinely accepts declarations in lieu of depositions in situations like this. It should do so here. Orange and Wade & Co reserve the right to seek fees and costs for responding to your harassing attempts to depose them.

Regarding your request for a meet and confer under C.D. Cal. L.R. 37-1, Irene's email below does not comply with the requirements of 37-1, which requires the moving party's letter to "identify each issue and/or discovery request in dispute, state briefly as to each such issue/request the moving party's position (and provide any legal authority the moving party believes is dispositive of the dispute as to that issue/request), and specify the terms of the discovery order to be sought."

You have not stated your position, the authority supporting it, or the terms of the discovery order you seek.

Also, you are miscalculating the deadline to confer. Even if your email complied with Rule 37-1, under Federal Rule 6 (which applies where the local rules do not otherwise specify) the deadline to confer would be Monday. Regardless, you have not complied C.D. Cal. L.R. 37-1.

If you send a compliant letter, we will review it and, if necessary, provide our availability to confer.

Sincerely,

Travis Richins | Etheridge Law Group
2600 East Southlake Blvd | Suite 120-324 | Southlake, TX 76092
travis@etheridgelaw.com | T 214 601 0678 | F 817 887 5950

From: Böll, Brooke S <brooke.boll@sidley.com>
Sent: Tuesday, August 17, 2021 5:54 PM
To: Yang, Irene <irene.yang@sidley.com>; Travis Richins <travis@etheridgelaw.com>
Cc: IPTTeam <IPTTeam@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncuburn.com>
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Counsel,

Following up on the email below, please provide your availability this week to meet and confer regarding Microsoft's proposed motions to compel.

Best,
Brooke
BROOKE S. BÖLL
Associate
SIDLEY AUSTIN LLP
+1 213 896 6633
brooke.boll@sidley.com

From: Yang, Irene <irene.yang@sidley.com>
Sent: Thursday, August 12, 2021 12:07 PM
To: Böll, Brooke S <brooke.boll@sidley.com>; Travis Richins <travis@etheridgelaw.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Travis,
Wade & Co. and Orange Holdings have still not moved to quash Microsoft's deposition subpoenas. Nor have you responded to our requests to provide the witness' availability for deposition. Accordingly, we intend to move to compel compliance with Microsoft's subpoenas. Microsoft intends to seek orders compelling witnesses on behalf of Wade & Co and Orange Holdings to appear for oral deposition, on the topics identified in Microsoft's subpoenas, at the first available opportunity.
Please provide your availability to meet and confer prior to August 22, pursuant to C.D. Cal. L.R. 37-1.

Thanks,

IRENE YANG

SIDLEY AUSTIN LLP
+1 415 772 1230
irene.yang@sidley.com

From: Böll, Brooke S <brooke.boll@sidley.com>
Sent: Monday, July 19, 2021 9:52 AM
To: Travis Richins <travis@etheridgelaw.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Travis,

Two weeks have now passed since my email below, and Orange Holdings and Wade & Co. have not moved to quash the deposition subpoenas. Accordingly, by Thursday, July 22, please provide the witnesses' availability for deposition.

Best,
Brooke
BROOKE S. BÖLL
Associate
SIDLEY AUSTIN LLP
+1 213 896 6633
brooke.boll@sidley.com

From: Böll, Brooke S <brooke.boll@sidley.com>
Sent: Friday, July 2, 2021 4:54 PM
To: Travis Richins <travis@etheridgelaw.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Travis,

Following up on our meet and confer, Microsoft does not agree to withdraw its deposition subpoenas to Orange Holdings and Wade & Co. and does not agree to accept a declaration or other written document in lieu of sworn, live testimony. As discussed on the meet and confer, both entities possess information relevant to at least damages. To the extent Orange Holdings and Wade & Co. intend to file motions to quash, Microsoft will oppose.

As to the rest of the issues discussed on the meet and confer, please see the attached correspondence.

Best regards,
Brooke
BROOKE S. BÖLL
Associate
SIDLEY AUSTIN LLP
+1 213 896 6633
brooke.boll@sidley.com

From: Travis Richins <travis@etheridgelaw.com>
Sent: Tuesday, June 29, 2021 5:34 AM
To: Böll, Brooke S <brooke.boll@sidley.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>

Subject: Re: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Brooke,

Thanks. We are available at 1:00 CT today.

Dial in: 214-238-4431
PIN: 17425

Travis Richins | Etheridge Law Group
2600 East Southlake Blvd | Suite 120-324 | Southlake, TX 76092
travis@etheridgelaw.com | T 214 601 0678 | F 817 887 5950

From: Böll, Brooke S <brooke.boll@sidley.com>
Sent: Monday, June 28, 2021 11:55 AM
To: Travis Richins <travis@etheridgelaw.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Travis,

We are available from noon to 1:30 CT tomorrow. Please circulate a calendar invitation and dial-in for a time in that window that works for you.

Thanks,
Brooke
BROOKE S. BÖLL
Associate
SIDLEY AUSTIN LLP
+1 213 896 6633
brooke.boll@sidley.com

From: Travis Richins <travis@etheridgelaw.com>
Sent: Monday, June 28, 2021 5:45 AM
To: Böll, Brooke S <brooke.boll@sidley.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: Re: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Brooke,

Thanks. We need to move this call to Tomorrow. Tomorrow morning is good, and we can be available until 2:30 p.m. CT. We have a hard stop at 2:30 p.m. CT.

Travis Richins | Etheridge Law Group
2600 East Southlake Blvd | Suite 120-324 | Southlake, TX 76092
travis@etheridgelaw.com | T 214 601 0678 | F 817 887 5950

From: Böll, Brooke S <brooke.boll@sidley.com>
Sent: Thursday, June 24, 2021 3:45 PM
To: Travis Richins <travis@etheridgelaw.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Travis,

Microsoft is available anytime in the afternoon on Monday except from 3-4pm CT. Please circulate a calendar invitation and dial-in.

We have reviewed the RFPs identified in your email below. For clarity and in an effort to focus the meet and confer, Microsoft has not refused to produce documents responsive to WSOU's Request for Production Nos. 1-3, 6, 10-11, and 16-18.

- *RFP 1:* Microsoft has already produced numerous technical documents responsive to RFP 1 and will continue to supplement its production as warranted.
- *RFPs 2-3 and 6:* Microsoft explicitly offered to meet and confer to better understand the relevance, meaning, scope, and proportionality of the Requests, as explained in those RFP responses, and looks forward to WSOU's explanation of those RFPs.
- *RFPs 10 and 11:* Microsoft's responses to RFPs 10 and 11 are accurate, but as indicated in my email below, Microsoft is willing to discuss both sides producing copies of communications regarding the subpoenas served by either side.
- *RFPs 16-17:* Microsoft did not refuse to produce documents responsive to RFPs 16-17, instead Microsoft was noting the duplicative nature of the requests. Microsoft is in the process of collecting and reviewing marketing documents that include documents responsive to RFPs 16-17.
- *RFP 18:* As indicated in Microsoft's response to RFP 18, Microsoft is in the process of collecting financial information regarding the Accused Instrumentalities over the course of the alleged damages period.

Best,
Brooke
BROOKE S. BÖLL
Associate
SIDLEY AUSTIN LLP
+1 213 896 6633
brooke.boll@sidley.com

From: Travis Richins <travis@etheridgelaw.com>
Sent: Wednesday, June 23, 2021 5:12 AM
To: Böll, Brooke S <brooke.boll@sidley.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>;
Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: Re: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Brooke,

We are not available today. Are you available Monday?

Travis Richins | Etheridge Law Group
2600 East Southlake Blvd | Suite 120-324 | Southlake, TX 76092
travis@etheridgelaw.com | T 214 601 0678 | F 817 887 5950

From: Böll, Brooke S <brooke.boll@sidley.com>
Sent: Tuesday, June 22, 2021 11:23 AM
To: Travis Richins <travis@etheridgelaw.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Travis,

Microsoft is not available today, but is available for a meet and confer tomorrow between noon and 4:00 pm Central. Please circulate a calendar invitation and dial-in for a time in that window that works for you. During the meet and confer, we would also like to discuss the deficiencies related to WSOU's damages disclosures and productions as raised in our letter dated June 11, 2021 and in our earlier letters regarding WSOU's initial disclosures and requests for early production of documents containing terms related to WSOU's acquisition, ownership, or maintenance of the patents-in-suit and patent portfolio.

Microsoft has provided copies of productions and objections and responses served by subpoenaed third parties and will continue to do so. Please confirm that WSOU has done, or will do, the same, including copies of any subpoenas that WSOU has served. Microsoft does not understand the relevance of other incidental communications regarding the subpoenas, and the additional burden on each side seems disproportionate to any purpose sought from such production of communications. However, we are willing to discuss both sides producing copies of communications regarding the subpoenas served by either side.

Best regards,
Brooke
BROOKE S. BÖLL
Associate
SIDLEY AUSTIN LLP
+1 213 896 6633
brooke.boll@sidley.com

From: Travis Richins <travis@etheridgelaw.com>
Sent: Friday, June 18, 2021 9:10 AM
To: Böll, Brooke S <brooke.boll@sidley.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>;
Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: Re: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Brooke,

Thanks for following up. We have team members out of the office and several briefs I am handling today and Monday. We are available Tuesday, however. Let me know if that works and we can arrange a time. When we meet, we would like to discuss Microsoft's refusal to produce documents responsive to WSOU's discovery requests, including RFPs 1-3, 6, 10-11, and 16-18. We would also like to discuss Microsoft's refusal to produce its communications with third parties, including third parties it subpoenaed. In response to RFP 10, you claim to have located no non-privileged communications with third parties, but we know you have had communications with third parties concerning your subpoenas. Those communications are not privileged. We'd also like an explanation regarding why it took Microsoft a month to produce to WSOU documents Microsoft received from Mitel. This raises serious concerns about what communications you had with Mitel that were not disclosed to WSOU.

I can confirm neither entity is withholding documents with the possible exception that there might be documents technically responsive to Request No. 9 that are wholly unrelated to this litigation or the patents in suit. Request No. 9 asks for documents "sufficient to show Your relationship with any entity associated with Stuart A. Shanus, Marc Wade, or Craig Etchegoyen."

As you know from documents already produced by WSOU, Stuart Shamus was at one time counsel for Wade and Company. While Wade and Company has no documents relating to the patents or this litigation, it may have documents relating to its relationship with Stuart Shamus that are not related to patents or patent litigation (much less this litigation or the patents in suit).

Wade and Company has not and will not search for documents sufficient to show every "relationship" it has with Stuart Shamus or any entity that might be "associated with" Stuart Shamus (whatever that means). Wade and Company did conduct a reasonable search for any such documents that are related to the patents in suit or this litigation and is not withholding any such documents.

Sincerely,

Travis Richins | Etheridge Law Group
2600 East Southlake Blvd | Suite 120-324 | Southlake, TX 76092
travis@etheridgelaw.com | T 214 601 0678 | F 817 887 5950

From: Böll, Brooke S <brooke.boll@sidley.com>
Sent: Thursday, June 17, 2021 5:53 PM
To: Travis Richins <travis@etheridgelaw.com>
Cc: IP Team <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Travis,

We have not yet received a response to my email below. Please provide a time to meet and confer on Monday, June 21 regarding Wade and Co.'s and Orange Holdings' respective responses to the document subpoenas and the witnesses' availability for deposition.

Best,
Brooke
BROOKE S. BÖLL
Associate
SIDLEY AUSTIN LLP
+1 213 896 6633
brooke.boll@sidley.com

From: Böll, Brooke S <brooke.boll@sidley.com>
Sent: Thursday, June 10, 2021 4:24 PM
To: Travis Richins <travis@etheridgelaw.com>
Cc: IP Team <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Travis,

It is not clear from Wade & Co.'s and Orange Holdings' respective responses whether either entity is withholding documents pursuant to their objections. Please confirm by Monday, June 14 that neither Wade & Co. nor Orange Holdings are withholding responsive documents.

Also, Microsoft does not intend to withdraw its deposition subpoenas to Wade & Co. and Orange Holdings. Please provide the witnesses' availability for deposition on the noticed topics.

Best,
Brooke
BROOKE S. BÖLL
Associate
SIDLEY AUSTIN LLP
+1 213 896 6633
brooke.boll@sidley.com

From: Travis Richins <travis@etheridgelaw.com>
Sent: Wednesday, June 9, 2021 4:51 AM
To: Böll, Brooke S <brooke.boll@sidley.com>
Cc: IP Team <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: Re: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Brooke,

As indicated in the supplemental objections by Wade and Company and Orange Holdings, they have conducted a reasonable search and did not locate any relevant documents in their possession. They also do not have relevant knowledge. Given their lack of relevant information, they will not appear for depositions. We ask that you withdraw the subpoenas. Please confirm that you will do so.

Sincerely,

Travis Richins | Etheridge Law Group
2600 East Southlake Blvd | Suite 120-324 |Southlake, TX 76092
travis@etheridgelaw.com | T 214 601 0678 | F 817 887 5950

From: Böll, Brooke S <brooke.boll@sidley.com>
Sent: Thursday, May 13, 2021 3:20 PM
To: Travis Richins <travis@etheridgelaw.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Travis,

Microsoft agrees to a 30-day extension to respond to the subpoenas. We appreciate your willingness to continue to keep us up to date on a rolling basis as you learn more information about the collection of documents from Wade & Co. and Orange Holdings, and Microsoft makes the extension agreement in light of the representation that Wade & Co. and Orange Holdings will continue to diligently search for and collect documents and provide prompt updates regarding the same.

For clarity, this means that the deadline for both companies to provide complete responses and a document production is extended to June 1, 2021. The deposition for Wade & Co. is extended to June 14, 2021, and the deposition for Orange Holdings is extended to June 16, 2021. As discussed on the meet and confer, we will work with you to modify the deposition dates as needed following receipt of the document production and depending upon the availability of the witnesses.

Best,
Brooke

BROOKE S. BÖLL
Associate
SIDLEY AUSTIN LLP
+1 213 896 6633
brooke.boll@sidley.com

From: Travis Richins <travis@etheridgelaw.com>
Sent: Thursday, May 13, 2021 10:26 AM
To: Böll, Brooke S <brooke.boll@sidley.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>;
Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: Re: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Brooke,

Thanks for talking with us. Thank you for confirming that the depos are not proceeding on 5/14 and 5/17.

Please confirm by the end of today that we have 30-day extension to respond to the subpoenas so that we can avoid filing a motion tonight while I have family visiting from out of town. Thanks.

Travis Richins | Etheridge Law Group
2600 East Southlake Blvd | Suite 120-324 |Southlake, TX 76092
travis@etheridgelaw.com | T 214 601 0678 | F 817 887 5950

From: Böll, Brooke S <brooke.boll@sidley.com>
Sent: Wednesday, May 12, 2021 4:44 PM
To: Travis Richins <travis@etheridgelaw.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Travis,

We are not available to discuss this today, however we are available tomorrow at noon CT. Please let me know if that works for you and I will send around a calendar invitation and dial-in.

Best,
Brooke

BROOKE S. BÖLL
Associate
SIDLEY AUSTIN LLP
+1 213 896 6633
brooke.boll@sidley.com

From: Travis Richins <travis@etheridgelaw.com>
Sent: Wednesday, May 12, 2021 2:21 PM
To: Böll, Brooke S <brooke.boll@sidley.com>

Cc: IP Team <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>;
Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: Re: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Brooke,

We are available to discuss this now. Do you have time within the next thirty minutes? If so, I'll give you a call.

Travis Richins | Etheridge Law Group
2600 East Southlake Blvd | Suite 120-324 | Southlake, TX 76092
travis@etheridgelaw.com | T 214 601 0678 | F 817 887 5950

From: Böll, Brooke S <brooke.boll@sidley.com>
Sent: Wednesday, May 12, 2021 3:53 PM
To: Travis Richins <travis@etheridgelaw.com>
Cc: IP Team <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: RE: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Travis,

Thank you for providing the updates. We remain available to discuss the requests by phone if that would be helpful. In light of Wade & Co. and Orange Holdings' forthcoming complete responses and document production on May 14, Microsoft is willing to extend the compliance dates on the deposition subpoenas by two weeks to May 28 and June 1.

Best,
Brooke
BROOKE S. BÖLL
Associate
SIDLEY AUSTIN LLP
+1 213 896 6633
brooke.boll@sidley.com

From: Travis Richins <travis@etheridgelaw.com>
Sent: Tuesday, May 11, 2021 10:58 AM
To: Böll, Brooke S <brooke.boll@sidley.com>
Cc: IP Team <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>;
Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: WSOU v Microsoft - Deposition Subpoenas on Wade & Co. and Orange Holdings

Brooke,

Thank you. As an update, we are still working with Wade & Co. and Orange Holdings to determine if they have responsive documents but can confirm that neither entity has documents responsive to requests 1, 2, 7, 10, 11, 12, 13 and 14 (or any knowledge responsive to the corresponding deposition topics). As you probably realize, documents publicly available at the PTO (to the extent responsive) may be accessible to everyone.

As we noted in our email below from last Thursday, the dates of May 14 and May 17 do not work as deposition dates for Wade & Co. and Orange Holdings. Please confirm that Microsoft agrees to extend the compliance dates on the deposition subpoenas by 30 days as we would prefer not to file a motion to quash or a motion for protective order. Please confirm by close of business on May 12th.

Sincerely,

Travis Richins | Etheridge Law Group
2600 East Southlake Blvd | Suite 120-324 | Southlake, TX 76092
travis@etheridgelaw.com | T 214 601 0678 | F 817 887 5950

From: Böll, Brooke S <brooke.boll@sidley.com>
Sent: Thursday, April 29, 2021 10:26 PM
To: Travis Richins <travis@etheridgelaw.com>
Cc: IP Team <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>
Subject: RE: WSOU Investments, LLC v Microsoft Corp., Civil Action Nos. 6:20-cv-00454, -455, -456, -458, -459, -460, -461, -462, -463, -464

Travis,

Microsoft is willing to agree to a two week extension to May 14, but only if Wade & Co. and Orange Holdings will commit to producing their documents in response to their respective subpoenas by May 14, in addition to serving complete responses by that date, as we noted that Wade & Co and Orange Holdings served only objections on April 23. Please confirm.

We are available to discuss the subpoenas with you on Tuesday, May 4, any time after 2:00 pm Central. Please let us know if that works for you.

Best,
Brooke
BROOKE S. BOLL
Associate
SIDLEY AUSTIN LLP
+1 213 896 6633
brooke.boll@sidley.com

From: Travis Richins <travis@etheridgelaw.com>
Sent: Wednesday, April 28, 2021 9:32 AM
To: Watkins, Andrew <awatki01@sidley.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com
Subject: Re: WSOU Investments, LLC v Microsoft Corp., Civil Action Nos. 6:20-cv-00454, -455, -456, -458, -459, -460, -461, -462, -463, -464

Counsel,

We are working to determine what documents Wade & Co. and Orange Holdings may have that are responsive to your requests and relevant to the litigation. We'd like to set up a time with you to discuss the documents you are after and your deposition requests. Since we expect to have more information by the end of this week, we propose discussing this next week. Please let us know a time that works for you next week. Also, please let us know if you will grant our extension request below.

Sincerely,

Travis Richins | Etheridge Law Group
2600 East Southlake Blvd | Suite 120-324 | Southlake, TX 76092
travis@etheridgelaw.com | T 214 601 0678 | F 817 887 5950

From: Travis Richins <travis@etheridgelaw.com>
Sent: Friday, April 23, 2021 6:25 PM
To: Watkins, Andrew <awatki01@sidley.com>; Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; Barry K. Shelton <bshelton@sheltoncoburn.com>
Cc: IPTeam <IPTeam@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>
Subject: Re: WSOU Investments, LLC v Microsoft Corp., Civil Action Nos. 6:20-cv-00454, -455, -456, -458, -459, -460, -461, -462, -463, -464

Counsel,

Please find the attached objections. We would still appreciate a 30-day extension. Thanks.

Travis Richins | Etheridge Law Group
2600 East Southlake Blvd | Suite 120-324 | Southlake, TX 76092
travis@etheridgelaw.com | T 214 601 0678 | F 817 887 5950

From: Travis Richins <travis@etheridgelaw.com>
Sent: Friday, April 23, 2021 5:14 PM
To: Watkins, Andrew <awatki01@sidley.com>; Jim Etheridge <jim@etheridgelaw.com>; Jeff Huang <jhuang@etheridgelaw.com>; Brian Koide <brian@etheridgelaw.com>; Ryan Loveless <ryan@etheridgelaw.com>; Brett Mangrum <brett@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>; IPTeam <IPTeam@etheridgelaw.com>
Cc: Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; bshelton@sheltoncoburn.com <bshelton@sheltoncoburn.com>
Subject: Re: WSOU Investments, LLC v Microsoft Corp., Civil Action Nos. 6:20-cv-00454, -455, -456, -458, -459, -460, -461, -462, -463, -464

Counsel,

Please let us know if you will grant a 30-day extension of the deadline for Wade & Co and Orange Holdings to assert objections and responses to your subpoenas.

Sincerely,

Travis Richins | Etheridge Law Group
2600 East Southlake Blvd | Suite 120-324 | Southlake, TX 76092
travis@etheridgelaw.com | T 214 601 0678 | F 817 887 5950

From: Watkins, Andrew <awatki01@sidley.com>
Sent: Tuesday, April 6, 2021 12:36 PM
To: Jim Etheridge <jim@etheridgelaw.com>; Jeff Huang <jhuang@etheridgelaw.com>; Brian Koide <brian@etheridgelaw.com>; Ryan Loveless <ryan@etheridgelaw.com>; Brett Mangrum <brett@etheridgelaw.com>; Travis Richins <travis@etheridgelaw.com>; mark@waltfairpllc.com <mark@waltfairpllc.com>; IPTeam <IPTeam@etheridgelaw.com>
Cc: Sidley - WSOU Litigation <SidleyWSOULitigation@sidley.com>; bshelton@sheltoncoburn.com <bshelton@sheltoncoburn.com>
Subject: WSOU Investments, LLC v Microsoft Corp., Civil Action Nos. 6:20-cv-00454, -455, -456, -458, -459, -460, -461, -462, -463

-464

Counsel –

Please find attached Defendant Microsoft Corporation's Subpoenas to Third Parties Wade & Company (USA), Inc. and Orange Holdings.

Best,
ANDREW WATKINS
Project Assistant

SIDLEY AUSTIN LLP
One South Dearborn
Chicago, IL 60603
+1 312 456 4258
+1 224 406 4777 (cell)
awatki01@sidley.com
www.sidley.com

SIDLEY

This e-mail is sent by a law firm and may contain information that is privileged or confidential.
If you are not the intended recipient, please delete the e-mail and any attachments and notify us
immediately.
